

[Mr. Chairman]

Consolidated Fund of India for the service of the financial year 1955-56 for the purposes of Railways”.

*The motion was adopted.*

**Shri L. B. Shastri :** I \*\*introduce the Bill.

APPROPRIATION (RAILWAYS)  
NO. 3 \* BILL

**The Minister of Railways and Transport (Shri L. B. Shastri) :** I beg to move for leave to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1951, in excess of the amounts authorised or granted for the said services.

**Mr. Chairman :** The question is :

“That leave be granted to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1951, in excess of the amounts authorised or granted for the said services.”

*The motion was adopted.*

**Shri L. B. Shastri :** I \*\*introduce the Bill.

APPROPRIATION (RAILWAYS)  
NO. 4\* BILL

**The Minister of Railways and Transport (Shri L. B. Shastri) :** I beg to move for leave to introduce a Bill to provide for the authorisation of appropriation of money out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1952, in excess of the amounts authorised or granted for the said services.

**Mr. Chairman :** The question is :

“That leave be granted to introduce a Bill to provide for the

authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1952, in excess of the amounts authorised or granted for the said services”.

*The motion was adopted.*

**Shri L. B. Shastri :** I \*\*introduce the Bill.

APPROPRIATION (RAILWAYS)  
NO. 5 \* BILL

**The Minister of Railways and Transport (Shri L. B. Shastri) :** I beg to move for leave to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March 1953, in excess of the amounts authorised or granted for the said services.

**Mr. Chairman :** The question is :

“That leave be granted to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1953, in excess of the amounts authorised or granted for the said services.”

*The motion was adopted.*

**Shri L. B. Shastri :** I introduce\*\* the Bill.

COPYRIGHT BILL

**The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das) :** On behalf of the Minister of Education, I beg to move :

“That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the

\* Published in the Gazette of India Extraordinary, Part, II Section, dated the 12-3-56 pp. 108—115.

\*\* Introduced with the recommendation of the President.

Bill to amend and consolidate the law relating to Copyright made in the motion adopted by Rajya Sabha at its sitting held on the 16th February, 1956 and communicated to this House on the 21st February, 1956 and resolves that the following Members of Lok Sabha be nominated to serve on the said Joint Committee, namely, Shri B. S. Murthy, Shri N. C. Laskar, Shri Nageshwar Prasad Sinha, Shri Fulsinhji B. Dabhi, Shri Joachim Alva, Shri T. S. Avinashilingam Chettiar, Shri S. V. Ramaswamy, Shri Birakisor Ray, Shri D. C. Sharma, Shri S. C. Samanta, Shri Gurmukh Singh Musafir, Shri M. Hifzur Rahman, Dr. Suresh Chandra, Shri C. P. Mathew, Shrimati Tarkeshwari Sinha, Seth Govinda Das, Shri Rohanlal Chaturvedi, Shri C. R. Basappa, Dr. Lanka Sundaram, Shri U. M. Trivedi, Shri V. G. Despande, Shri N. B. Chowdhury, Shri Sadhan Chandra Gupta, Shri Bahadur Singh, Shri Frank Anthony, Srimati Sucheta Kripalani, Shri M. S. Gurupadaswamy, Shri V. Veeraswamy, Dr. Mono Mohon Das and Maulana Abul Kalam Azad."

The Copyright Bill of 1955 was introduced in the Rajya Sabha on 1st October 1955. The motion for referring the Bill to a Joint Committee of both Houses was moved and accepted by that House on 16th February 1956. The recommendation of the Rajya Sabha that this House do join in the Joint Committee is before us now.

While commending my motion to this House, I beg to say a few words about the importance and implications of this Bill. The Copyright Bill is of great importance, because it regulates to a large extent the cultural activities of a country. Literature and fine arts, like music, painting, dance, drama, sculpture, architecture, etc., are but the vehicles of culture. It is the duty of the State to see that all activities in the fields of these arts make their satisfactory progress in an unhampered and undisturbed manner. The State should see that no hindrance is placed in the way of the creative artists whose works are the assets of the whole nation. The State should extend its protecting arm to see that these artists are saved from the hands of unscrupulous men who try to rob them of the products or the

results of their intellectual labour. The stern hand of law should come forward to ensure that the artists may enjoy the fruits of their own labour, the material values, the benefits accruing from his works.

This is the underlying principle of the Copyright Laws. The product of one's intellectual labour, like the products of any other labour, I mean physical labour, is the property of the man who spends his money, energy and time on it. It is therefore only just and proper that he should enjoy this property in the way he likes. But while conceding to the fullest extent possible, the rights of the creative artists over the fruits of their labour, it must be remembered that all works of art—whether it is literature, music, painting or anything else—are not only the property of the creative artists who make them, but also the property of the country as a whole, of the community of which the artists are only members. They are in fact the property of the whole nation. An author writes a book; a composer composes his music; a painter paints his picture. They are no doubt the results of their individual efforts, the results of the love and devotion which they have to the particular branch of art to which they belong. But the real incentive to some extent also comes from the people in general in the form of appreciation.

Art cannot develop without appreciation. If the people do not appreciate it, if the artist does not get his remuneration, the value in terms of money for his works, then his creative genius cannot unfold itself, cannot manifest itself to the fullest extent possible.

So the development of art and literature in a country does not depend alone upon the artists, but it depends also upon the public who appreciate them and who enjoy their products and also pay for them. So the people of the country have also some kind of right over the works of the artists. Copyright laws all over the world have admitted this right of the community and attempted to strike a balance between the right of the author and the right of the readers or the public. Therefore, while it is the duty of the Government to see that the author is not exploited, the artist is not exploited, that the artist gets what is due to him, it is also the duty of the Government to see that the public are not kept away from enjoying

[Dr. M. M. Das]

the fruit of the labours of the artist by unnecessarily high prices. Modern copyright laws in almost all countries provides on the one hand safeguards for the artists against unauthorised copying of their works, against their unauthorised use by dishonest men, and on the other hand, they also ensure that these works are made available to the public at competitive prices at least after the passage of a certain length of time. There is also a third party, an intermediary, so to say, between the author on the one hand and the readers on the other. This third party in the case of books is the publisher and the disseminator in the case of other arts. The function of this third party would be to hold before the public the works of the artist in a presentable form. Attempts have been made in this Bill to arrive at a happy compromise between all these conflicting interests—the interest of the artist, the interest of the publisher and the interest of the public in general. The Copyright Act first came into force in India—I should say, British India—in the year 1847, Act No. XX of 1847. But this was not complete act in the sense that it did not give any protection to translations, to photographs, newspapers, telegrams etc. However the amendment of this Act was postponed in view of the possibility of amendment of the British Act on this subject. The new British Act was passed by the British Parliament and came into operation in 1912. In 1914, the British Copyright Act was made applicable to British India with modifications considered necessary to suit Indian conditions. This Indian Copyright Act of 1914, which is still in force in this country, and which the present measure seeks to replace. It is needless to say that the Indian Copyright Act of 1914, which was the British Copyright Act of 1911 with some modifications to suit Indian conditions, does not fit in with the changed circumstances with the changed political conditions the changed constitutional status of India. The necessity of having an independent Act on the subject of copyright in the light of growing public consciousness of the rights and responsibilities of authors as well as of the readers, and also in the light of the experience gained in the working of the Copyright Act during the last 40 years, has been acutely felt by this country since its independence. Moreover, new technological develop-

ments have occurred since the year 1911 in the field of means of communications such as broadcasting, micro-filming, litho photography, movie cinemas, talkies, television—of course television does not apply to our country now—etc. These changes have produced a new situation. These developments would not have been conceived 40 years ago, when the Copyright Act of England was made applicable to this country. These inventions and technological developments have brought with them new and added complications into the field of copyright. Historically speaking, the original idea of copyright was to prevent unauthorised copying of printed books as well as to recognise the right of the author to the fruits of his intellectual labour. But with inventions like gramophone, radio, television, talkies etc., the field of copyright has now been vastly increased. In addition, with the growth of international organisations like, UN, UNESCO, etc., our international obligations in the field of copyright have also enormously increased. It is not possible for us as a nation to refuse these international obligations. We must incorporate into our Copyright Act suitable laws with a view to discharge our international responsibilities and obligations. India is a signatory to the Universal Copyright Convention signed in 1952 at Geneva. So it is obligatory on our part to reform our own Act in the light of that convention. These are some of the potent reasons why it has been considered necessary by Government to bring this Bill before Parliament.

So far as the different provisions of the Bill are concerned, I do not think the present occasion is opportune to enter into a threadbare discussion on them. Government are fully conscious of the fact that there is enough room for difference of opinion on the individual provisions. I am moving this motion so that this House may join the Joint Committee which will consider all the provisions in great detail and then this House will get the benefit of the mature judgment and collective wisdom of that body before considering and finally passing this measure.

**Mr. Chairman :** Motion moved :

“That this House concurs in the recommendation of the Rajya Sabha that the House do join in the Joint Committee of the Houses on the

Bill to amend and consolidate the law relating to Copyright made in the motion adopted by Rajya Sabha at its sitting held on the 16th February, 1956, and communicated to this House on the 21st February, 1956, and resolves that the following Members of Lok Sabha be nominated to serve on the said Joint Committee, namely, Shri B. S. Murthy, Shri N. C. Laskar, Shri Nageshwar Prasad Sinha, Shri Fulsinhji B. Dabhi, Shri Joachim Alva, Shri T. S. Avinashilingam Chettiar, Shri S. V. Ramaswamy, Shri Birakisore Ray, Shri D. C. Sharma, Shri S. C. Samanta, Shri Gurmukh Singh Musafir, Shri M. Hifzur Rahman, Dr. Suresh Chandra, Shri C. P. Mathew, Shrimati Tarkeshwari Sinha, Seth Govind Das, Shri Rohanlal Chaturvedi, Shri C. R. Basappa, Dr. Lanka Sundaram, Shri U. M. Trivedi, Shri V. G. Deshpande, Shri N. B. Chowdhury, Shri Sadhan Chandra Gupta, Shri Bahadur Singh, Shri Frank Anthony, Shrimati Sucheta Kripalani, Shri M. S. Gurupadaswamy, Shri V. Veeraswamy, Dr. Monoh Mohon Das, and Maulana Abul Kalam Azad."

**Dr. Lanka Sundaram** (Visakhapatnam): May I enquire whether any date has been set for the submission of the report?

**Dr. M. M. Das**: It is 25th May.

**Mr. Chairman**: But that is not mentioned here.

**Dr. M. M. Das**: The original motion was moved in the other House.

**Mr. Chairman**: All right. Discussion on this motion will proceed on the next day.

#### REPORT OF JAUNDICE ENQUIRY COMMITTEE

**Shri Kamath** (Hoshangabad): Before we proceed to the discussion, may I make a request that in view of the seriousness of the matter, more than one hour should have been allotted. Under rule 213' under which it has been admitted, the time can be up to 2½ hours. I would, therefore, request that the discussion may not be closed today and it may be carried over to tomorrow or

any other day convenient to all concerned. I am sure the House will agree with me in this suggestion.

**Dr. Lanka Sundaram** (Visakhapatnam): I whole-heartedly endorse the suggestion made by my hon. friend Shri Kamath. It is a very serious matter, and I am sure the hon. Minister will certainly take half of the time for reply. I find that a large number of hon. Members have already sent in their names who want to speak. If so we will have very little time.

**Mr. Chairman**: There are 6 hon. Members including Dr. Rama Rao.

**Shri Gidwani** (Thana): This is a very important question.

**Mr. Chairman**: Can the hon. Minister say how much time she may require?

**The Minister of Health (Rajkumari Amrit Kaur)**: Sir, it all depends on what points are raised by the hon. Members. I imagine I ought to be able to reply within 20 minutes.

**Mr. Chairman**: Let us go on with the discussion and in the mean time.....

**Dr. Lanka Sundaram**: With great respect to the Chair, I would make a submission. We will have to ration time right from now if we do not take decision. As I said earlier, nearly half the time will be taken by the hon. Minister, and you will probably give 5 minutes to each of the speakers and you cannot exhaust the names already sent in and that would not be sufficient.

**Shri V. P. Nayar** (Chirayinkil): What are we to discuss in 5 minutes?

**Shri Gidwani**: I would like to know how many names have been sent to you.

**Mr. Chairman**: Can we sit up to 6 o'clock?

**Several Hon. Members**: No, no.

**Shri V. P. Nayar**: We can continue tomorrow also.

[MR. SPEAKER *in the Chair*]

**Shri Kamath**: May I request you, Sir, under rule 213—which gives you discretion to allot time up to 2½ hours for such an important matter—considering the seriousness of the matter, which has killed so many people in Delhi—hundreds of people in Delhi—to allot more time for the discussion of this matter? I request that this may be